

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit:
)	
JOHNSON et al.)	Examiner:
)	
Serial No.: Not Yet Assigned)	<u>INFORMATION DISCLOSURE</u>
)	<u>STATEMENT</u>
Filed: Herewith)	
)	
Atty. File No.: 3791-13-CON)	Express Mail Label: EV331287046US
)	
For: "LOW SULFUR COAL ADDITIVE)	
FOR IMPROVED FURNACE)	
OPERATION")	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:

- ☐ Are enclosed herewith.
- ☒ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial Nos. 09/893,079 filed June 26, 2001; 10/209,083 filed July 30, 2002; and 10/209,089 filed July 30, 2002, all of which are relied upon for an earlier filing date under 35 U.S.C. § 120.

☐ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☐ Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. _____ filed _____

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or <input checked="" type="checkbox"/> Before the mailing date of a first Office Action on the merits, or <input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ul style="list-style-type: none"> (1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, or (3) an action that otherwise closes prosecution in the application. <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <ul style="list-style-type: none"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. <p>Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

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Date: July 18, 2003

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 3791-13-CON	SERIAL NO. Not Yet Assigned
	APPLICANT JOHNSON et al.	
	FILING DATE Herewith	GROUP ART 3749

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	1	6,484,651	11/26/02	Shepard, Jr. et al.	110	342	
	2	6,267,802	07/31/01	Baldrey	95	58	
	3	6,221,001	04/24/01	Comer	588	252	
	4	5,893,943	04/13/99	Durham	95	65	
	5	5,855,649	06/05/99	Durham	95	71	
	6	5,364,421	11/15/94	Westby	44	608	
	7	5,307,743	05/03/94	Jones	102	307	
	8	5,196,648	03/23/93	Jones	102	307	
	9	5,052,312	10/01/91	Rackley	110	346	
	10	5,022,329	06/11/91	Rackley	110	237	
	11	5,001,994	03/26/91	Morimoto et al.	110	342	
	12	4,831,942	05/23/89	Morimoto et al.	110	345	
	13	4,598,652	07/08/86	Hepworth	110	345	
	14	4,377,118	03/22/83	Sadowski	110	343	
	15	4173454	11/06/79	Heins	44	1 SR	
	16	4,057,398	11/08/77	Bennett	44	4	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	17	Declaration of Richard Schlager; September 18, 2002
	18	SAGE, et al., "Relationship of Coal-Ash Viscosity to Chemical Composition," Journal of Engineering for Power, April 1960, pages 145-155;
	19	"Cyclone Furnaces," Steam/its generation and use, Chapter 10, (Babcock & Wilcox) 37 pages (1972)

EXAMINER	DATE CONSIDERED
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